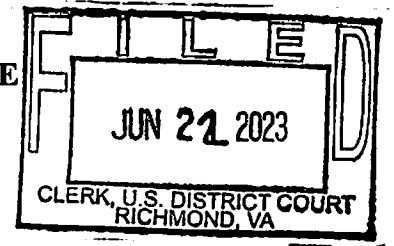


IN THE UNITED STATES DISTRICT COURT FOR THE  
EASTERN DISTRICT OF VIRGINIA  
RICHMOND DIVISION



UNITED STATES OF AMERICA

v.

XAVIER LOPEZ,

*Defendant.*

Case No. 3:23CR 019

18 U.S.C. §§ 922(g)(1) and 924(a)(2)  
Possession of Ammunition by Convicted Felon  
(Count 1)

26 U.S.C. §§ 5841, 5845, 5861(c)-(d), (f)  
Possession of a Destructive Device  
(Count 2)

Forfeiture Allegation

**INDICTMENT**

June 2023 Term – At Richmond, Virginia

THE GRAND JURY CHARGES THAT:

**COUNT ONE**

(Possession of Ammunition by Convicted Felon)

On or about November 13, 2022, in the Eastern District of Virginia, the defendant, Xavier LOPEZ, knowing that he had been convicted of a crime punishable by imprisonment for a term exceeding one year in the Circuit Court for Chesterfield County on or about January 7, 2021, did knowingly possess ammunition, that is, (25) rounds of 9mm caliber and (1) round of 7.62x39 caliber ammunition, said ammunition having been shipped and transported in interstate and foreign commerce.

(In violation of Title 18, United States Code, Sections 922(g)(1) and 924(a)(2)).

**COUNT TWO**

(Possession of Destructive Device)

On or about November 13, 2022, in the Eastern District of Virginia, the defendant, Xavier LOPEZ, knowingly possessed a destructive device, to wit, eight "Molotov cocktails" and any

combination of parts designed and intended for use in converting any device into a Molotov cocktail, not registered to him in the National Firearms Registration and Transfer Record. TK6

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(In violation of Title 18, United States Code, Sections §§ 5841, 5845, 5861(c)-(d), and (f)).

**FORFEITURE ALLEGATION**

Pursuant to Rule 32.2 of the Federal Rules of Criminal Procedure, the defendant is notified that if convicted of either of the offenses charged in this Indictment, he shall forfeit any firearms or ammunition involved in or used in the offense charged. Property subject to forfeiture includes, but is not limited to, the following:

**(25) rounds of Hornady 9mm caliber ammunition and (1) round of Barnaul Cartridge Works 7.62x39 caliber ammunition.**

If any property that is subject to forfeiture above is not available, it is the intention of the United States to seek an order forfeiting substitute assets pursuant to Title 21, United States Code, Section 853(p) and Federal Rule of Criminal Procedure 32.2(e).

(All in accordance with Title 18, United States Code, Section 924(d), Title 26 United States Code Section 5872 and Title 28, United States Code, Section 2461(c)).

A TRUE BILL:

Pursuant to the E-Government Act,  
the original of this page has been filed  
under seal in the Clerk's Office

~~FORFEITURE~~ PERSON           

JESSICA D. ABER  
UNITED STATES ATTORNEY

By:

Peter S. Duffey  
Thomas A. Garnett  
Assistant United States Attorney

Peter S. Duffey  
Peter S. Duffey  
Assistant United States Attorney